

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

NOT FOR PUBLICATION

-----X
FELICIA TAYLOR,

Plaintiff,

-against-

TRANSFER ORDER

NATIONAL CITY MORTGAGE;
JOHN DOE #1-10,

09-CV-2923(CBA)

Defendants.
-----X

AMON, United States District Judge:

On July 6, 2009, plaintiff Felicia Taylor, a resident of Queens County, New York, filed this *pro se* action invoking the Court's diversity jurisdiction over an alleged "predatory lending scheme" that may have resulted in the foreclosure of real property owned by plaintiff. Plaintiff indicated that the property at issue was located in Port Saint Lucie, Florida and that defendant National City Mortgage "conduct[s] real estate business within the State of Florida." Compl. at ¶¶ 1-2, Unmarked Exhibit (excerpt from credit report). By Memorandum and Order dated August 11, 2009, the Court directed plaintiff to file an Amended Complaint within 30 days to provide a basis for venue over this action in this district. 28 U.S.C. § 1391(a). More than 30 days have elapsed and plaintiff has not filed an Amended Complaint or any other response to the Court's order.¹


Accordingly, this case is hereby transferred to the United States District Court for the Southern District of Florida. See 28 U.S.C. §§ 89 (Saint Lucie county is located in the Southern District of Florida); 1406(a) (district court may transfer case filed in the wrong district to any district in which it could have been brought). That provision of Rule 83.1 of the Local Rules of the Eastern

¹ The Court's order was sent to the Queens County address provided by plaintiff when she filed the action. However, on August 17, 2009, the Court's order was returned by the United States Postal Service and the address was marked "vacant-unable to forward." When a party changes addresses, it is her obligation to notify the Court of her new address. See Concepcion v. Ross, No. CV-92-770, 1997 WL 777943, at *1 (E.D.N.Y. Oct. 27, 1997). To date, plaintiff has not provided the Court with a change of address.

District of New York which requires a five-day delay is waived.

SO ORDERED.

/S/


CAROL BAGLEY AMON
United States District Judge

Dated: Brooklyn, New York
September 25, 2009